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SUBJECT: NCP CLAIMS SPLM OBSTRUCTION OF ELECTIONS LAW

¶1. (SBU) The SPLM is employing a strategy to delay passage of the elections law, claimed NCP political executive committee negotiator Dirdeiry Ahmed Mohammed. During a meeting with polchief February 4, Dirdeiry claimed the SPLM agreed months ago to a 60/40 direct vs. proportional voting system in parliamentary elections, and that SPLM negotiator (and Governor of Blue Nile State) Malik Agar signed an agreement on those percentages with the NCP in September 2007. He said the SPLM later flip-flopped in favor of a 40/60 direct vs. proportional system, and now would concede a 50/50 split, but only if the 25 percent of women required in the legislature will be included in the proportional seats. He claimed the NCP would like the women to be elected directly but did not explain how this would work.

¶2. (SBU) Dirdeiry explained that the main reason for the NCP's support for 60 percent direct voting is that this corresponds to the 270 historical voting constituencies in Sudan (60 percent of a 450-member parliament is 270). To get around this impasse, Dirdeiry claimed the NCP offered to increase the parliament to 500 members and reduce direct seats to 55 percent, which would mean creating five new constituencies (55 percent of 500 corresponds to 275 seats). He claimed the SPLM dismissed this plan as "too expensive" due to the salary expenses of the new MPs.

¶3. (SBU) Dirdeiry said another example of SPLM stall tactics on elections are the timelines for the electoral law. He claimed that in recent NCP-SPLM political executive committee meetings, the NCP had proposed shortening some of the timelines so that an election in 2009 will be possible. For example, instead of taking three weeks to review the elections law, the parliament should take only one week, and the President should not need an additional week to sign the law. He claimed the SPLM had rejected this proposal, citing the need for greater consultation.

¶4. (SBU) Dirdeiry said he believes the SPLM changed its position on voting percentages not just to delay, but also because it realized that a large percentage of directly-elected seats may not be in the party's interests. He claimed this is because the SPLM would lose its ability to put SPLM insiders in the parliament and is worried that Nuer and Shilluk and other minority politicians who are difficult to control will gain more power and visibility under a majority direct voting system. "The SPLM's objective is to maintain Dinka hegemony," accused Dirdeiry.

¶5. (SBU) Dirdeiry said the political executive committee has not discussed Abyei at all because the issue was referred to the Presidency. However, he said the Presidency also has not made any progress on the issue. Dirdeiry acknowledged that to leave this issue unresolved is dangerous due to the possibility of conflict. He claimed the NCP would like to resolve Abyei because "the SPLM can keep that card in their back pocket and use it for blackmail" by

creating a crisis whenever they need to.

16. (SBU) Comment: As the NCP's lead negotiator on Abyei (and as a Misseriya from southern West Kordofan state) Dirdeiry has strong feelings on the subject and is not being honest when he says the NCP would like to resolve the issue (unless of course the outcome is that Abyei goes to the North). More likely, the NCP would like to use Abyei as a bargaining chip to tempt the SPLM into a ruling alliance past the 2009 elections to keep the current regime in place. However, Dirdeiry's comments regarding SPLM intransigence on elections are partially credible. The question becomes which party fears elections more. Although the SPLM is more democratic and transparent than the NCP in some ways, elections may carry a greater risk of creating tribal instability in the South. Though it also has an interest in delaying elections (and certainly has an interest in excluding Darfur from elections) the NCP can test the SPLM's commitment to unity by pursuing national elections - and may seek to undermine the CPA depending on what alliances it makes with northern parties following elections. The international community may have to encourage the SPLM toward elections, as the majority of the South and many in the SPLM are looking primarily toward the 2011 referendum on southern self-determination, and have less appetite for the 2009 national elections which many believe will be stolen anyway by the NCP. However, the SPLM knows that it cannot avoid elections without endangering the CPA, the full implementation of which is the greatest security of all for the South.

FERNANDEZ